

**STATE OF WASHINGTON
EMPLOYMENT SECURITY DEPARTMENT
POLICY AND PROCEDURE**

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SUBJECT:

Use of Agency Information Technology Systems

PURPOSE:

To set forth the Employment Security Department's (ESD) position regarding the proper business and personal use of agency information technology resources, including electronic mail, and the Internet by employees, contractors, or any other persons using these resources.

RISK STATEMENT:

ESD employees are obligated to conserve and protect state resources for the benefit of the public interest rather than their private interests. Improper or illegal use of ESD technology resources poses serious risk and liability to both the department and the individual employee. These risks include but are not limited to:

- Loss of public trust in ESD/State services;
- Service and performance interference;
- Financial loss;
- Illegal activity;
- Loss of network or operational integrity; and
- Charges or other legal consequences related to sexual harassment, racism, or improper access to or dissemination of information.

Most technology use is recorded and therefore available for review by both internal and external sources. These built-in logs and tracking mechanisms provide an audit trail of employee use of technology, and are available to detect improper or illegal use. All employees must be aware that these records are reproducible, are *not* private, and may be subject to disclosure under public disclosure laws.

DEFINITIONS:

Agency Information Technology resources include, but are not limited to, information technology assets such as computers, workstations, data resources, hand held computing devices, electronic message systems, software, software licenses, and Internet connections or accounts.

Contractor is a bidder performing work under a contract resulting from a procurement action (competitive or sole source.) The successful bidder becomes a contractor upon execution of the contract. Refer to ESD Policy #0023.

Electronic message is a verbal or written message transmitted or stored electronically.

The Executive Ethics Board has reviewed and approved this policy per RCW 42.52.360 (4) in formal session on April 20, 2001. The Executive Ethics Board adopted rules in WAC 292-110-010, as well as, the state's Ethics in Public Service law (RCW Chapter 42.52) which provided direction for the guidance given in this information technology policy.

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Electronic message systems allow the generation, transmission, storage, display or reproduction of an electronic message for internal or external communication purposes.

- Voice mail is a system allowing users to receive, reply, redirect, save or send messages anytime using a touchtone telephone.
- E-mail is a system allowing transmission of person-to-person messages.
- Other media includes facsimile and imaging equipment, which store and transmit images; and all similar systems.

Internet means the connection to and use of interconnected networks in the public and private domains to access the World Wide Web, Gopher, file transfer protocols and other network resources.

Intranet is a private network for internal communication with links to the Internet accessed by a browser.

Non-working hours means those hours before and after scheduled work hours for the scheduled employee, those hours other than designated working hours for non-scheduled employees, and breaks, including lunch breaks, for both the scheduled and non-scheduled employees.

POLICY:

The Employment Security Department (ESD) is a strong proponent of the responsible, legal and ethical use of information technology. Our ability to use these tools greatly enhances our mission and makes us more efficient when dealing with information gathering and exchange. We encourage all of you to use these technologies, keeping in mind the principles explained below.

Regardless of the specific technology employed, the use of information technology must comply with this policy. ESD management is responsible for ensuring that employees and other individuals with access to the department's electronic systems and/or the Internet are informed of this policy and make appropriate use of state resources in accordance with this policy.

The department has the right to access information technology equipment and any information stored on it for any legitimate business purpose including, but not limited to, the promotion and assessment of compliance with this policy. Supervisors and managers are authorized to further restrict an employee's personal use of e-mail or other information technology.

Violation of this policy may subject the employee to disciplinary action by the agency. In addition the Executive Ethics Board may impose sanctions against the employee that include reprimand, recommend removal of employee from the position, financial penalty, and payment of damages and investigative costs.

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Information Technology Equipment:

Information technology equipment is provided by ESD to assist its employees, contractors or others in the performance of their duties. This equipment shall be used only for purposes consistent with those enumerated in this policy.

Security of agency systems and the data they contain is the responsibility of all users. Access to agency systems is authorized only to the level necessary for performance of an employee's job functions. Attempting to circumvent data protection schemes, unauthorized monitoring, or tampering with another user's electronic communications is not allowed.

In using state owned equipment, employees shall protect the confidentiality of information by following password procedures and taking all the necessary steps to safeguard passwords. The employee's User ID and password are his or her identity when accessing and using agency systems. They are for that employee's use only and are not to be shared with anyone else. An employee is responsible for actions taken with his or her User ID and password. If the employee is storing particularly sensitive information, the employee should discuss additional security with the appropriate supervisor or manager.

New or additional equipment may not be installed on the department's network or modified without permission from Network Support, Information Technology Services Division (ITSD). This includes, but is not limited to, hardware or software that gives an employee remote access to the department's network. Additionally, employees must comply with copyright laws. Therefore, no duplication of software, images, or other intellectual materials that are subject to copyright is permissible. Compliance with all state and federal laws and restrictions applying to the use of any and all copyrighted materials are to be followed. Information stored on this equipment must be consistent with this policy.

Employees may never use agency information technology systems to:

1. Access the Internet for personal reasons;
2. Adversely reflect on ESD e.g., Furthering of extremist organizations, inappropriate jokes, chain letters, or gender slurs;
3. Advertise, sell or for any other commercial purpose;
4. Conduct an outside business or engage in personal activities;
5. Engage in any campaign or political activity;
6. Engage in any illegal activity;
7. Load non-business related software;
8. Make personal purchases;
9. Make unauthorized copies of state owned software or install software on state owned equipment that would result in a copyright or license violation. All software loaded onto agency equipment must be approved in advance by the Information Technology Services Division (ITSD);
10. Make unlawful or inappropriate disclosures of confidential information;
11. Play computer games during working or non-working hours;
12. Promote a political, philosophical or religious belief;

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13. Promote or encourage discrimination on the basis of race, creed, color, gender, religion, handicap, or sexual orientation;
14. Relate stories or use language that does not honor diversity;
15. Use for the purpose of supporting, promoting, or soliciting for an outside organization or group unless provided for by law or authorized by an agency head or designee; and
16. Write documents of a personal nature, including but not limited to, novels, plays, memoirs, letters, etc.

Intranet Use:

Employees are encouraged to access the agency's Intranet site ~~http://insideesd/~~. This site contains information that is valuable for all ESD employees in the performance of their official duties.

Internet Use:

Internet access is provided to support official agency business activities only. Any personal use of the Internet on state owned computers is prohibited regardless of whether the state employee accesses the Internet on his or her own time or state time.

- Employees may access only those web sites that are reasonably related to the performance of his or her official duties for the department. Unless specifically authorized to do so, employees should not claim to represent the views or positions of ESD.
- If an employee accidentally accesses a site that contains inappropriate or illegal material, she or he must leave the site immediately and notify his or her supervisor or manager.
- The Internet is not a secure means of transmission. Communications on the Internet are not private. Unless computer applications that have been designed specifically for secure transactions are employed, sensitive or confidential files or e-mail should not be sent over the Internet as they may be captured and read by unauthorized individual(s).
- Downloading files, software or any other materials may subject the computer and the network to viruses that can destroy data on the computer and even the network.
- When the Internet is used, the employee and ESD are identified as the sender or recipient.
- As a state employee using state provided equipment and software there can be no expectation of privacy in the use of these tools.
- Internet access leaves a documented trail. Any use of state provided equipment, software, and network resources are public records and may be disclosable. Any use of the Internet is subject to review by management and both internal and external auditors and investigators.
- When authorized by department management, state provided equipment and software may be used for office-related functions and agency authorized activities.

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Use Of Electronic Message Systems:

Electronic message systems are provided to support official agency business activities. Communications using electronic message systems should be courteous and professional, keeping in mind that messages generally constitute public records that are subject to disclosure under chapter 42.17 RCW.

Occasional and limited (i.e. *de minimis*) personal use of technology resources by ESD employees is permissible if all the following are met:

- There is no cost to the state;
- The use does not interfere with the performance of the employee's official duties;
- The use is brief in duration and does not disrupt or distract from the conduct of state business due to volume or frequency;
- The use does not compromise the security or integrity of state information or software; and
- The use does not violate the state's **Ethics in Public Service** law (RCW Chapter 42.52) or undermine public trust and confidence.

WAC 292- 110 -010 **Use of state resources** provides the following occasional and limited legitimate-use examples:

Example 1: An employee makes a local telephone call or sends an e-mail communication to his home to make sure his children have arrived home safely from school. This is not an ethical violation. There is no cost to the state, and because either the call or the e-mail is brief in duration, it does not interfere with the performance of official duties.

Example 2: An employee uses her agency computer to send electronic mail to another employee regarding the agenda for an agency meeting that both will attend. She also wishes the other employee a happy birthday. This is not an ethical violation. The personal message is *de minimis* and improves organizational effectiveness by allowing informal communication among employees.

Occasional and limited personal use does not include the following:

- Any use for the purpose of conducting an outside business;
- Any use for the purpose of supporting, promoting, or soliciting for an outside organization or group unless provided for by law or authorized by an agency head or designee;
- Any campaign or political use;
- Commercial uses such as advertising or selling;
- Any illegal activities; or
- Access to personal e-mail accounts at work, whether during working or non-working hours. This restriction applies to e-mail accounts that can be accessed via web sites, such as Hotmail, Juno, or Yahoo.

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The following examples of inappropriate use are also taken from WAC 292-010-110 **Use of state resources:**

Example 3: An employee operates an outside business. Everyday she makes or receives five to ten business calls on her state telephone. All of the calls are local calls. This is an ethical violation. The employee is conducting a private business on state time, which is a cost to the state.

Example 4: After working hours, an employee uses the office computer and printer to prepare client billings for a private business using his own paper. This is an ethical violation. Although use of the office computer and printer may result in a negligible cost to the state, conducting a private business is an inappropriate use of state resources.

Example 5: An employee is active in a local PTA organization that holds fund-raising events to send children to the nation's capital. Although a parental contribution is expected, the more a parent raises, the less his or her contribution. An employee uses agency e-mail to solicit contributions for her child. This is an ethical violation. The employee is using state resources to further a private interest and to promote an outside organization.

WAC 292-110-010(5)(c) prohibits personal use of consumable state property, such as paper. For example, employees may not print personal e-mail using state paper

There may be some subjective interpretation in the use of agency information technology systems. Following are some guidelines from various resources, including the state Executive Ethics Board, to assist staff in making the correct determination on proper use of technology resources here at ESD:

1. Electronic mail and the Internet use many of the same network resources. Both can be used to communicate in a manner that is permissible under this policy, provided the use can be linked to a work place benefit.
2. Never use technology in a way that would be embarrassing to the Department/State.
3. Seek clarification or assistance from your supervisor before using the resources in a personal manner. If in doubt, limit your use of technology resources to **state business purposes only!**
4. Use technology only in a manner you could discuss openly with your supervisor or other knowledgeable employees.

ADDITIONAL REFERENCES:

WAC 292-110-010 is available for review on the Internet site at http://www.wa.gov/ethics/292_110_120_WAC.html and the state's **Ethics in Public Service** law (RCW Chapter 42.52) is available for review on the Internet site at <http://www.wa.gov/ethics/chapter42.html>.

Employment Security Policy and Procedure #1016 dated 06/11/99 "Employee Conduct."

Employment Security Policy and Procedure #4002 dated 01/08/96 "Microcomputer/Workstation Policy."

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SUPERSEDES:

Employment Security Policy and Procedure #2009 dated 09/11/98 "Use of Agency Telecommunications and E-mail Systems."

DIRECT INQUIRIES TO:

Strategic Planning Group, Information Technology Services Division, (360) 438-4785.

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